EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2007-1114-AIR-E **TCEQ ID:** RN100216266 **CASE NO.:** 34174

RESPONDENT NAME: Sunoco Pipeline L.P.

ORDER TYPE:		
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	_EMERGENCY ORDER	
CASE TYPE:		
XAIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
TYPE OF OPERATION: Crude oil storal SMALL BUSINESS: Yes OTHER SIGNIFICANT MATTERS: The facility location. INTERESTED PARTIES: No one other COMMENTS RECEIVED: The Texas R CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinate TCEQ Enforcement Coordinate Bryan Sinclair, Enforcement Div Respondent: Mr. E. W. Nasalro	K_No here are no complaints. There is no record of addition than the ED and the Respondent has expressed an integer comment period expired on December 17, 200 https://www.none.or.wighth.com/none.or.wight	erest in this matter. 7. No comments were received. 2. Sement Team 4, MC 149, (512) 239-6162; Mr.
Respondent's Attorney: Not re	presented by counsel on this enforcement matter	

RESPONDENT NAME: Sunoco Pipeline L.P. DOCKET NO.: 2007-1114-AIR-E

VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS TO THE **VIOLATION INFORMATION** PENALTY CONSIDERATIONS TAKEN/REQUIRED TAKEN CONTRACTORS FOR PROPERTY OF A CONTRACTOR OF Type of Investigation: Total Assessed: \$6,000 **Ordering Provisions:** Complaint a Fervir of Fig. X Routine Total Deferred: \$1,200 The Order will require the Respondent to: ___ Enforcement Follow-up X Expedited Settlement a. Within 30 days after the effective date of ___ Records Review this Agreed Order, submit a complete and Financial Inability to Pay accurate semiannual deviation report for Date(s) of Complaints Relating to this the October 4, 2005 to April 4, 2006 Case: None reporting period; Date of Investigation Relating to this Total Paid to General Revenue: \$4,800 b. Within 30 days after the effective date Case: December 28, 2006 of this Agreed Order: Site Compliance History Classification Date of NOV/NOE Relating to this Case: i. Submit written certification that the April 23, 2007 (NOE) permit-by-rule emissions limits for VOCs **Person Compliance History Classification** are being met; or Background Facts: This was a routine High X Average Poor investigation. Two violations were ii. Submit an administratively complete documented. Major Source: X Yes No permit application to include the increased VOC emissions. AIR Applicable Penalty Policy: September 2002 1) Failed to maintain permitted emissions c. If a permit application is submitted limits. Specifically, Sunoco exceeded the respond completely and adequately, as volatile organic compounds ("VOC") determined by the TCEQ, to all letters emissions of 25 tons per year for permitrequesting information concerning the by-rule facilities during the reporting permit applications within 30 days after period October 4, 2005 to October 3, 2006, the date of such requests, or by any other on Tanks 2691, 2708, and 2733, resulting deadline specified in writing; and in a total VOC release of 30.6 tons [30 TEX. ADMIN. CODE §§ 106.263 and d. If a permit application is submitted 106.4(a)(1), and TEX. HEALTH & SAFETY within 180 days after the effective date of CODE § 382.085(b)]. this Agreed Order, submit written certification that either authorization to 2) Failed to include all instances of construct and operate a source of air deviations on a semiannual deviation emissions has been obtained or that report. Specifically, Sunoco failed to construction/operation has ceased until include the deviation for VOC exceedance such time that appropriate authorization is on the October 4, 2005 to April 4, 2006 obtained. deviation report and on the October 4, 2005 to October 4, 2006 annual permit The certifications and reports required by compliance report [30 Tex. ADMIN. CODE Ordering Provisions a., b.i., and d. shall §§ 122.143(4), 122.145(2) and include detailed supporting documentation 122.146(5)(C), Federal Operating Permit including receipts and/or other records to No. O-2688, General Terms and demonstrate compliance. Conditions, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Additional ID No(s).: NB0024O

	Policy Revision 2 (Sep		nalty	Calculation	n Work	sheet (P	•	V Revision June 26, 2007
DATE	S Assigned PCW	11-Jun-2007 5-Jul-2007	Screeni	ng 27-Jun-2007	EPA Due	14-Jan-2008		
	ONDENT/FACILITY Respondent Reg. Ent. Ref. No. acility/Site Region	Sunoco Pipeline RN100216266	L,P.		Major	/Minor Source	Major	
CASE	INFORMATION Enf./Case ID No. Docket No. Media Program(s) Multi-Media Admin. Penalty \$	2007-1114-AIR- Air	E \$0	Maximum		. of Violations Order Type f. Coordinator EC's Team	1660	am 4
тот	AL BASE PENAL	_TY (Sum of v		nalty Calcula n base penalti		etion	Subtotal 1	\$6,000
ADJU	JSTMENTS (+/-) Subtotals 2-7 are obtai Compliance Hist	ned by multiplying the			by the indicated pe		otals 2, 3, & 7 [
	Notes	No ch	ange due	e to average perfo	rmer classifica	ation.		
	Culpability Notes	No The Re	esponden	0% t does not meet th	6 Enhancement ne culpability c		Subtotal 4	\$0
	Good Faith Effor Extraordinary Ordinary N/A Notes	Before NOV	(mark with a	DPRP/Settlement Offer x) t does not meet th	-	riteria.	Subtotal 5	\$0
	Approx.	Total EB Amounts	\$326 \$3,000	*Cappe	6 Enhancement* od at the Total EB	\$ Amount	Subtotal 6	\$0
SUM	OF SUBTOTAL	S 1-7					Final Subtotal	\$6,000
	ER FACTORS A s or enhances the Final S Notes				lly; e.g30 for -30] %.)	Adjustment	\$0
manana di Angala di Manana			· · · · · · · · · · · · · · · · · · ·			Final Pe	│ nalty Amount ☐	\$6,000
STAT	TUTORY LIMIT A	ADJUSTMENT	Γ			Final Asse	essed Penalty	\$6,000
	ERRAL es the Final Assessed Per	nalty by the indicted p	ercentage.	(Enter number only; e	20% g. 20 for 20% red		Adjustment [-\$1,200
amada da	Notes		Deferral o	offered for expedit	ed settlement.	÷		
PAY	ABLE PENALTY	•						\$4,800

Screening Date 27-Jun-2007

Docket No. 2007-1114-AIR-E

PCW

Policy Revision 2 (September 2002) PCW Revision June 26, 2007

Adjust.

Enter Number Here

Respondent Sunoco Pipeline L.P.

Case ID No. 34174

Reg. Ent. Reference No. RN100216266

Media [Statute] Air

Component Number of...

Enf. Coordinator Bryan Elliott

Compliance History Worksheet >> Compliance History Site Enhancement (Subtotal 2)

Written NOVs with same or similar violations as those in the current enforcement action

Other written NOVs Any agreed final enforcement orders containing a dental of liability (number of orders of meeting criteria) Any adjudicated final enforcement orders, agreed final enforcement orders without a dental of liability, or default orders of this state or the federal government, or any final prohibitory of liability, or default orders of this state or the federal government, or any final prohibitory of this state or the federal government (number of judgements or consent decrees meeting of this state or the federal government (number of judgements or consent decrees meeting of this state or the federal government (number of judgements or consent decrees meeting of this state or the federal government (number of judgements or consent decrees without a denial of liability, of this state or the federal government (number of counts) Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of counts) Any criminal convictions of this state or the federal government (number of counts) Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations wore disclosed) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations wore disclosed) Other Environmental management systems in place for one year or more No 0% Voluntary on-site compliance assessments conducted by the executive director under a No 0% Environmental requirements Adjustment Percentage (Subtotal Notation of a product that meets future state or federal government No 0% Adjustment Percentage (Subtotal Notation of the privilege Act, 1850) No change due to average performer classification.	NOVs	(number of NOVs meeting criteria)	0	0%
Orders Any adjudicated final enforcement orders, agreed final enforcement, or any final prohibitory of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting on this state or the federal government (number of judgments or consent decrees meeting on this judgments or consent decrees without a denial of liability, of this state or the federal government or judgments or consent decrees without a denial of liability, of this state or the federal government (number of counts) Convictions Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments and default judgments, or non-adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of counts) Convictions Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government in the state or the federal government in t			Q	0%
of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		1 * *	U-	0%
Judgments and Consent Decrees Conviction	Orders	of liability, or default orders of this state or the federal government, or any final prohibitory		0%
Decrees Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government 0 0% 0% 0% 0% 0% 0% 0%		of this state or the federal government (number of judgements or consent decrees meeting criteria)		0%
Emissions Chronic excessive emissions events (number of events) 0 0%	I .	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal		0%
Emissions Chronic excessive emissions events (number of events) 0 0%	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Other Environmental management systems in place for one year or more No 0% Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Adjustment Percentage (Subtotal aut Violator (Subtotal 3) No Adjustment Percentage (Subtotal Induce History Person Classification (Subtotal 7) Average Performer No change due to average performer classification.			0	0%
Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Please Enter Yes or No		Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of	i i	0%
Environmental management systems in place for one year or more No 0% Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Early compliance with, or offer of a product that meets future state or federal government environmental requirements Adjustment Percentage (Subtotal at Violator (Subtotal 3) No Adjustment Percentage (Subtotal obliance History Person Classification (Subtotal 7) Average Performer No change due to average performer classification.	, addition		0	0%
Other Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Early compliance with, or offer of a product that meets future state or federal government environmental requirements **Adjustment Percentage (Subtotal at Violator (Subtotal 3)** No Adjustment Percentage (Subtotal Illance History Person Classification (Subtotal 7)* Average Performer Adjustment Percentage (Subtotal Illance History Summary* Compliance History Summary* No change due to average performer classification.	and a second sec	Plea	se Enter Yes or No	
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Participation in a voluntary pollution reduction program Early compliance with, or offer of a product that meets future state or federal government environmental requirements Adjustment Percentage (Subtotal at Violator (Subtotal 3) No Adjustment Percentage (Subtotal 4) Adjustment Percentage (Subtotal 4) Adjustment Percentage (Subtotal 5) Average Performer Adjustment Percentage (Subtotal 7) Average Performer No Change due to average performer classification.	Other	1 *	No	0%
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Average Performer Adjustment Percentage (Subtotal 7) Adjustment Percentage (Subtotal 8) Illiance History Summary Compliance History No change due to average performer classification.				
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Compliance History No change due to average performer classification.	Average I	Performer Adjustment P	ercentage (S	ubtotal 7,
History No change due to average performer classification.	liance Histor	y Summary		. 2154.91.4
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Screening Date	27-Jun-2007	Docket No). 2007-1114-AIR-E	PCW
Respondent	Sunoco Pipeline L.P.		Policy	Revision 2 (September 2002)
Case ID No.	34174			PCW Revision June 26, 2007
Reg. Ent. Reference No.	RN100216266			TORNAMATOR
Media [Statute]	Air			SALAW WATER
Enf. Coordinator	Bryan Elliott			age county - and
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. Code §§	3106.263 and 106.4(a)(1) 382.085(b)	and Tex. Health & Safety Code §	
Violation Description	volatile organic compour facilities during the repo	nds ("VOC") emissions of orting period October 4, 20	pecifically, Sunoco exceeded the 25 tons per year for permit-by-rule 105 to October 3, 2006, on Tanks VOC release of 30.6 tons.	
			Base Penal	ty \$10,000
>> Environmental, Property a	nd Human Health Ma	trix	6 (200)	and the second s
Marian San San San San San San San San San San	Harm		, papakattan taun tahun tahun kentatan kentangan pengangan kentangan pengangan kentangan pengangan pengangan p Pengangan pengangan	TO SERVICE STATE OF THE SERVICE STATE STATE OF THE
Release	Major Moderate	Minor		
OR Actual Potential	L X		Percent 50%	
Potential			1 Clock	
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Falsification	Major Moderate	<u>Minor</u>		
			Percent 0%	
Maria de la companio del companio de la companio de la companio della companio de				- 1
Matrix Notes Human hea exceed lev	alth or the environment was els protective of human he	s exposed to significant ar alth or environmental rec	nounts of pollutants which did not eptors as a result of the violation.	
			Adjustment \$5,00	00
				\$5,000
			•	Ψ0,000
Violation Events		AND THE STREET OF THE PROPERTY	avang panggan kanggan kanggan at kanggan at kanggan kanggan kanggan kanggan kanggan kanggan kanggan kanggan ka Naggan kanggan	
Number of Vic	plation Events 1	365	Number of violation days	and another and a second and a second and a second another ano
	L	la l		entioporetat.
	daily			and the second s
	monthly		Micheller Bass Bass	
mark only one with an x	quarterly	4	Violation Base Penal	ty \$5,000
With Gif X	semiannual x		•	
	single event			- Independent of the contract
		4		
	One an	nual event is recommend	ed. 플라이스 등로 기타 이 사람이 되는	
Economic Benefit (EB) for th	is violation		Statutory Limit Test	perments Capacita
Estimated	d EB Amount	\$282	Violation Final Penalty Tot	al \$5,000

	·	This violation Final Asse	essed Penalty (adjusted for limit	s) \$5,000
processes and the contract of		reache Carmatales - Links - Linkshift	errorer i en viene en la entre de la company de la comp	CONTRACTOR OF THE SAME OF THE

	E HOA ANN	conomic l	Benefit W	orks	sheet	oliski ganomia.	
Respondent		0.000300-0300 -0.00031 -1.1 - 1.1 - 1.1 - 1.1				jime ili kalendari	
Case ID No.	•					1481-151 P. 164	
Reg. Ent. Reference No.						72 C - 434 T - 4394	
Media					Marie Carlot	Later and a special formula.	Years of
		•				Percent Interest	Depreciation
Violation No.	, 1	and Lagragic Se			1.5 World Lawis	0 : 72 46 (41 100)	and property
					grippinger der sein 7 aug	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	I∛No commas or \$	to. 2174 500	3.5-11	yblyd a	VI Fest Aurmi	(คริสตาสาร	
Delayed Costs	. Charles are		Metarrista, iri ko				
Equipment		1		0.0	\$0	\$0	\$0
Buildings	Control of the control of the	The state of the s		0.0	\$0	\$0	\$0
Other (as needed)	2 1000			0.0	\$0	\$0,	\$0
Engineering/construction	12 3 52 1 7 V41 1 1 2 3 4 1 1			0.0	\$0	\$0	\$0
Land	Market State			0.0	\$0	n/a	\$0
Record Keeping System	auro i projek Selencia		The second secon	0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	· \$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$2,500	4-Oct-2005	5-Jan-2008	2.3	\$282.	n/a	\$282
Notes for DELAYED costs	practices are	followed. Date Rec	date of pro	st docun spective	nented date of nor compliance.	n-compliance and Fir പ്രധിക	. 34
Avoided Costs	practices are	followed. Date Rec	date of pro	est docum espective entering	nented date of nor compliance. Item (except for	n-compliance and Fir ்பக்க one-time avoided c	nal Date is the osts)
Avoided Costs	practices are	followed. Date Rec	date of pro	est docum espective entering 0.0	nented date of nor compliance. item (except for	n-compliance and Fir initiad one-time avoided c \$0	nal Date is the osts)
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Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	practices are	followed. Date Rec	date of pro	est documente process and the composition of the co	nented date of nor compliance. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n-compliance and Fire the state of the state	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	27-Jun-2007	Docket N	lo , 2007-1114-AIR-E	PCW
	Sunoco Pipeline L.P.			Polícy Revision 2 (September 2002)
Case ID No.	34174			PCW Revision June 26, 2007
Reg. Ent. Reference No.	RN100216266			
Media [Statute]	Air			
Enf. Coordinator	Bryan Elliott			
Violation Number	2			
Rule Cite(s)			nd 122.146(5)(C), Federal O	
	Permit No. O-2688, Gene		s, and Tex. Health & Safety	Code §
		382.085(b)		
			n a semiannual deviation rep	
Violation Description	Specifically, Sunoco failed	to include the deviation	for VOC exceedance on the October 4, 2005 to October	October 2006
	4, 2000 to April 4, 2000 de	annual permit complian		7, 2000
	r			
	1		Base	Penalty \$10,000
>> Environmental, Property a	\$55 (CENTER) CONTRACTOR CON	rix.	Supplied Special Speci	
Release	Harm Major Moderate	Minor		
OR Actual				
Potential	<u> </u>		Percent 0%	AAAAAAA
THE PARTY	L			
>>Programmatic Matrix	nder account			A
Falsification	Major Moderate	Minor		
Carrier Secretar	<u> X </u>		Percent 10%	
				
Matrix	50% of the	rule requirement was no	ot met	demonstration of the second se
Notes	00 /0 01 1110	raio roganomoni nao n	31 11.03	
6 - 2 - 1 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2				
		SAN SANDLES	Adjustment	\$9,000
SOCIO SOCIO DE CONTROL				\$1,000
				\$1,000
Violation Events				
Number of Vi	olation Events 1	365	Number of violation day	S
	L		incidental and a second	TO ACCOUNT OF THE PARTY OF THE
	daily			•
	monthly			Penalty \$1,000
mark only one with an x	quarterly		Violation Base	Penalty \$1,000
wun an x	semiannual			
	annual x		٠.	,
	Siligic Cvorit			THE PROPERTY OF THE PROPERTY O
	One sir	ngle event is recommend	led.	
Economic Benefit (EB) for th	is violation		Statutory Limit Tes	
Estimate	d EB Amount	\$44	Violation Final Pena	alty Total \$1,000
	Bookside and a second a second and a second			
		This violation Final As	sessed Penalty (adjusted f	or limits) \$1,000

Media Violation No.					40 g - 14	Percent Interest	Years of Depreciation
					Constitution and Constitution	5.0	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	்EB Amoun
Item Description	No commas or \$		32 343(d) 53 F			Rule Glio(ta)	
Delayed Costs		migatic). (Cigriff)		فالله (1) والم			<u> </u>
Equipment	Production of the second		And the second s	0,0	\$0	\$0	\$0
Buildings	مارتوهي أبلو والعالبة في	ilis and an area of the	· · · · · · · · · · · · · · · · · · ·	, 0,0	. \$0	\$0	\$0
Other (as needed)	No of the line of	The state of the s	<u> </u>	0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$500	4-Apr-2006	5-Jan-2008	1.8.	\$44	n/a	\$44
Training/Sampling		and the second second	dankana aya basaraa a	0.0	\$0	n/a	\$0 \$0
Remediation/Disposal				0.0	\$0	n/a	\$0 \$0
Permit Costs Other (as needed)		income and a second billion	Company of the second s	0.0	\$0 \$0	n/a n/a	\$0 \$0
						o ensure proper reco	
Notes for DELAYED costs			d, Date Required	is the ea		date of non-compli	
Notes for DELAYED costs Avoided Costs	reporting prod	edures are followe	d, Date Required Date is the date	is the ea of prosp	rilest documented ective compliance	date of non-compli	ance and Fina
P Constructing Power	reporting prod	edures are followe	d, Date Required Date is the date	is the ea of prosp	rilest documented ective compliance	date of non-compli	ance and Fina
Avoided Costs	reporting prod	edures are followe	d, Date Required Date is the date	is the ea of prosp entering 0.0	irliest documented ective compliance item (except for \$0 \$0	date of non-complications of the complete of t	ance and Fina costs) \$0 \$0
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Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	reporting prod	edures are followe	d, Date Required Date is the date	is the ea of prosp entering 0.0 0.0 0.0 0.0	irliest documented ective compliance item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	date of non-complia one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	**************************************
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	reporting prod	edures are followe	d, Date Required Date is the date	is the ea of prosp entering 0.0 0.0 0.0 0.0 0.0	irliest documented ective compliance litem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	date of non-compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	reporting prod	edures are followe	d, Date Required Date is the date	is the ea of prosp entering 0.0 0.0 0.0 0.0	irliest documented ective compliance item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	date of non-complia one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0

Compliance History

Classification: AVERAGE Rating: 2.90 Sunoco Pipeline L.P. Customer/Respondent/Owner-Operator: CN602373904 Regulated Entity: RN100216266 SUNOCO CORSICANA STATION Classification: HIGH Site Rating: 0.00 WAREHOUSE ID Number(s): AIR OPERATING PERMITS ACCOUNT NUMBER NB0024O AIR OPERATING PERMITS PERMIT 1205 AIR OPERATING PERMITS PERMIT 2688 AIR NEW SOURCE PERMITS ACCOUNT NUMBER NB0024O AIR NEW SOURCE PERMITS PERMIT 56420 AIR NEW SOURCE PERMITS AFS NUM 4834900027 2100 S 15TH ST, CORSICANA, TX, 75110 Rating Date: 9/1/2006 Repeat Violator: NO Location: REGION 04 - DFW METROPLEX TCEQ Region; Date Compliance History Prepared: June 26, 2007 Enforcement Agency Decision Requiring Compliance History: Compliance Period: June 26, 2002 to June 26, 2007 TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History Phone: Bryan Elliott Site Compliance History Components 1. Has the site been in existence and/or operation for the full five year compliance period? 2. Has there been a (known) change in ownership of the site during the compliance period? 3. If Yes, who is the current owner? Sunoco Pipeline L.P. Mobil Pipe Line Company 4. if Yes, who was/were the prior owner(s)? ExxonMobil Pipeline 5. When did the change(s) in ownership occur? 08/01/2005 05/05/2006 Components (Multimedia) for the Site: Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government. Any criminal convictions of the state of Texas and the federal government. В Chronic excessive emissions events. С The approval dates of investigations. (CCEDS Inv. Track. No.) D. 1 08/26/2002 (8679) 2 08/13/2003 (148390) (289104) 3 08/16/2004 (374075) 4 03/28/2005 5 06/07/2006 (460275) (532307) 6 04/19/2007 7 05/30/2007 (561750)Written notices of violations (NOV). (CCEDS Inv. Track. No.) N/A Environmental audits. N/A G. Type of environmental management systems (EMSs). N/A H. Voluntary on-site compliance assessment dates. N/A Participation in a voluntary pollution reduction program. N/A Early compliance. N/A Sites Outside of Texas N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
SUNOCO PIPELINE L.P.	§	
RN100216266	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2007-1114-AIR-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Sunoco Pipeline L.P. ("Sunoco") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Sunoco appear before the Commission and together stipulate that:

- 1. Sunoco owns and operates a crude oil storage plant at 2100 South 15th Street in Corsicana, Navarro County, Texas (the "Plant").
- 2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
- 3. The Commission and Sunoco agree that the Commission has jurisdiction to enter this Agreed Order, and that Sunoco is subject to the Commission's jurisdiction.
- 4. Sunoco received notice of the violations alleged in Section II ("Allegations") on or about April 28, 2007.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Sunoco of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Six Thousand Dollars (\$6,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Sunoco has paid Four Thousand Eight Hundred Dollars (\$4,800) of the administrative penalty and One Thousand

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Two Hundred Dollars (\$1,200) is deferred contingent upon Sunoco's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Sunoco fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Sunoco to pay all or part of the deferred penalty.

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and Sunoco have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Sunoco has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, Sunoco is alleged to have:

- 1. Failed to maintain permitted emissions limits, in violation of 30 Tex. ADMIN. CODE §§ 106.263 and 106.4(a)(1), and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on December 28, 2006. Specifically, Sunoco exceeded the volatile organic compounds ("VOC") emissions of 25 tons per year for permit-by-rule facilities during the reporting period October 4, 2005 to October 3, 2006, on Tanks 2691, 2708, and 2733, resulting in a total VOC release of 30.6 tons
- 2. Failed to include all instances of deviations on a semiannual deviation report, in violation of 30 Tex. Admin. Code §§ 122.143(4), 122.145(2) and 122.146(5)(C), Federal Operating Permit No. O-2688, General Terms and Conditions, and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on December 28, 2006. Specifically, Sunoco failed to include the deviation for VOC exceedance on the October 4, 2005 to April 4, 2006 deviation report and on the October 4, 2005 to October 4, 2006 annual permit compliance report.

III. DENIALS

Sunoco generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Sunoco pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Sunoco's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Sunoco Pipeline L.P., Docket No. 2007-1114-AIR-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that Sunoco shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, submit a complete and accurate semiannual deviation report for the October 4, 2005 to April 4, 2006 reporting period;
 - b. Within 30 days after the effective date of this Agreed Order, either:
 - i. Submit written certification, as described below, that the permit-by-rule emissions limits for VOCs, in accordance with 30 Tex. ADMIN. CODE. §§ 106.4 and 106.263 are being met; or
 - ii. Submit an administratively complete permit application to include the increased VOC emissions, in accordance with 30 TEX. ADMIN. CODE. § 116.110 to:

Air Permits Division, MC 162 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- c. If a permit application is submitted, in accordance with Ordering Provision No. 2.b.ii., respond completely and adequately, as determined by the TCEQ, to all letters requesting information concerning the permit applications within 30 days after the date of such requests, or by any other deadline specified in writing; and
- d. If a permit application is submitted in accordance with Ordering Provision No. 2.b.ii., within 180 days after the effective date of this Agreed Order, submit written certification, as described below, that either authorization to construct and operate a source of air emissions has been obtained or that construction/operation has ceased until such time that appropriate authorization is obtained;

The certifications and reports required by Ordering Provisions Nos. 2.a., 2.b.i., and 2.d. shall include detailed supporting documentation including receipts and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public, and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certifications and reports shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Air Section, Manager Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2301 Gravel Drive Fort Worth, Texas 76118-6951

- 3. The provisions of this Agreed Order shall apply to and be binding upon Sunoco. Sunoco is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
- 4. If Sunoco fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Sunoco's failure to comply is not a violation of this Agreed Order. Sunoco shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Sunoco shall notify the Executive Director within seven days after Sunoco becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Sunoco shall be made in writing to the Executive Director. Extensions are not effective until Sunoco receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 6. This Agreed Order, issued by the Commission, shall not be admissible against Sunoco in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

- 7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Sunoco, or three days after the date on which the Commission mails notice of the Order to Sunoco, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Sunoco Pipeline L.P. DOCKET NO. 2007-1114-AIR-E Page 6

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL OUALITY

For the Commission	
For the Executive Director	12/14/07 Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEO seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Name (Printed or typed)

Authorized Representative of

Sunoco Pipeline L.P.

10-12-07 Date District Supervisor

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.